

#3/A 58
12/15/01 PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Present Application:

Applicant : Jerry S. Powell
Attorney Docket No.: 500582.12
Filed : Concurrently herewith
Title : HUMAN ERYTHROPOIETIN GENE: HIGH LEVEL EXPRESSION IN STABLY TRANSFECTED MAMMALIAN CELLS

Prior Application:

Examiner : James Martinell
Art Unit : 1633
Serial No. : 08/466,412

**PRELIMINARY AMENDMENT &
PETITION FOR EXTENSION OF TIME**

Box Patent Application
Commissioner of Patents
Washington, D.C. 20231

Sir:

The continuation application submitted herewith is filed to maintain copendency with the parent application, U.S. Patent Application No. 08/466,412. An Office Action on the parent application was mailed April 11, 2001. Accordingly, Applicant herewith petitions the Commissioner of Patents under 37 C.F.R. § 1.136(a)(3) for a 3-month extension of time from July 11, 2001, to October 11, 2001, to maintain the pendency of the parent application. Submitted herewith is a check in the amount of \$1,046, which includes \$460 to cover the cost of the extension. Any deficiency or overpayment should be charged or credited to Deposit Account No. 50-1266. Please amend the application as follows:

08/466,412